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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION  
AT RICHMOND, DECEMBER 17, 2002

APPLICATION OF

THE CITY OF BRISTOL

CASE NO. PUC-2002-00126

For a certificate of public  
convenience and necessity to  
provide local exchange  
telecommunications services  
and for interim operating  
authority

ORDER DENYING RECONSIDERATION

On August 5, 2002, the City of Bristol d/b/a Bristol Virginia Utilities Board ("Bristol") completed an application with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity to provide local exchange telecommunications services and for interim operating authority to operate as a local exchange carrier. On November 26, 2002, the Commission issued an Order granting to Bristol a certificate of public convenience and necessity to provide local exchange telecommunications services in the cities of Bristol and Norton and the counties of Washington, Scott, Lee, Wise, Russell, Tazewell, Smyth, and Grayson ("Order Granting Certificate").

On December 16, 2002, Charter Communications, Inc. ("Charter"), filed a Petition for Reconsideration, or in the

Alternative, Request for Clarification ("Petition"). Charter seeks reconsideration of the Order "[t]o the extent that the Commission intended the Order to authorize [Bristol] to provide interexchange service, high-speed data service or Internet access service." Petition at 1. In the alternative, Charter "seeks clarification that the Commission did not grant such authority to [Bristol] in its Order." Petition at 1-2. Charter also "seeks a declaration from the Commission that [Bristol] does not have authority to provide high-speed data service or Internet service absent authorization from the Commission." Petition at 2.

We deny Charter's Petition. The issues relied on in Charter's Petition were not raised and litigated as part of this proceeding before our Order Granting Certificate was issued. Thus, we decline to address Charter's request on reconsideration or clarification. Charter, or any interested person, is not precluded from filing a petition or other appropriate pleading in the future if they have a cause before the Commission.

Accordingly, IT IS HEREBY ORDERED THAT:

(1) Charter's Petition for Reconsideration, or in the Alternative, Request for Clarification, is denied.